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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS
 LIABILITY LITIGATION (NO. VI)

MDL DOCKET NO. 875
 2:01-md-00875-ER
 Case No. 2:09-cv-64068-ER

PAULA ROBERTSON, as Successor-in-
 Interest to and Wrongful Death Heir of
 JOHN ROBERTSON, Deceased, and
 DIANA SPINT, as Legal Heir of JOHN
 ROBERTSON, Deceased,

[PROPOSED]
 JUDGMENT AND CERTIFICATION
 ORDER FOR IMMEDIATE APPELLATE
 REVIEW FRCP 54(b)

Plaintiffs,

vs.

CARRIER CORPORATION, *et al.*,

Defendants.

This document relates to:

Thomas Huff, et al. v. Kaiser Ventures, LLC, et al., United States District Court, Northern District of California, Case No. 3:08-cv-04490-BZ

This action came on for hearing before the Court, on June 19, 2012, Hon. Eduardo C. Robreno, District Judge Presiding, on a Motion for Summary Judgment by Defendant Huntington Ingalls, Inc. On June 25, 2012, the Court entered an Order Granting the Motion for Summary Judgment.

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1 IT IS NOW ORDERED AND ADJUDGED that plaintiffs Paula Robertson, et al., take
2 nothing against defendant HUNTINGTON INGALLS INC. in this action, that the action be
3 dismissed against said defendant and that it recover its costs.

4 Judgment is entered as to all claims against defendant HUNTINGTON INGALLS INC.
5 only.

6 The court has determined that this Judgment should be eligible for immediate appellate
7 review pursuant to Federal Rule of Civil Procedure 54(b) since there is no just reason for delay.
8 This Judgment finally resolves all claims against defendant Huntington Ingalls, Inc. The claims
9 against Huntington Ingalls, Inc. have now been adjudicated to finality and there is nothing more
10 to do with regard to this defendant but await the conclusion of the remaining portions of the
11 litigation.

12 On July 16, 2012, an appeal was filed in the United States Court of Appeals for the Third
13 Circuit in the matter of *John Salcido (Appellant) v. Todd Shipyards Corp.* (D.C. Docket No.
14 2:09-cv-63991-ER; USCA No. 12-3012). The issues in the present case and *Salcido* are
15 essentially identical. If the actions could be consolidated on appeal, the similar issues in both
16 could be considered and resolved at the same time, thus eliminating the need to hear two separate
17 appeals on this same issue. There is no reason to delay.

18 Dated: _____

19 _____
20 Hon. Eduardo C. Robreno
21 Judge of the District Court
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1 *Paula Robertson, et al. v. Carrier Corporation, et al.*
2 United States District Court, EDPA Case No. 2:09-cv-64068-ER

3 CERTIFICATE OF SERVICE

4 I hereby certify that I electronically filed the following with the Clerk of the Court for
5 the United States District Court by using the CM/ECF system on August 13, 2012:

6 [PROPOSED] JUDGMENT AND CERTIFICATION ORDER FOR IMMEDIATE
7 APPELLATE REVIEW FRCP 54(b)

8 Participants in the case who are registered CM/ECF users will be served by the CM/ECF
9 system.

10 Dated this 13th day of August, 2012.

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13 /s/ Diane Davidowski
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